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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

PRESENT

THE HON'BLE MR.R.P.SETHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.R.PRASADA RAO

WRIT PETITION NO: 18338-342/1998

BETWEEN:

1. Sri K.Narasimha Murthy
S/o late Kempaiah,
aged 41 years,
Town Planning Supervisor,
City Municipal Corporation
Mahadevapura,
Bangalore.

...PETITIONER.

2. Sri K.Shanmugam,
S/o P.K.Swamy,
aged 52 years,
Town Planning Supervisor
No.360, I & III Block
East, Jayanagar,
21st Cross,
Bangalore.

3. Sri M.B.Mahendraswamy
S/o P.Brahmachar,
aged 37 years,
Town Planning Supervisor
No.818, 13th Main
T.K.Layout,
Mysore.

4. Sri G.S.Jayasimha,
S/o M.N.Sheshadri,
aged major,
Town Planning Supervisor,
No.5, 4th Cross,
Papaiah Garden,
Banashankari III Stage,
Bangalore.

5. Sri A.Ramesh,
S/o Anne Gowda,
aged Major,
Town Planning Supervisor,
O/o Director of Town Planning,
M.S.Building,
IV Annexe,
Bangalore - 560 001.

...PETITIONERS.
Respectively

6. (Sri V.Lakshminarayana Adv.,)

AND:

1. State of Karnataka by
its Secretary to
Government,

....3.

Urban Development
Department,
M.S. Building,
Bangalore - 560 001.

2. The Director of Town
Planning,
M.S. Building,
Bangalore - 560 001.

3. The Secretary to
Government,
Department of Personal
and Administrative Reforms,
Vidhana Soudha,
Bangalore - 560 001.

4. The Registrar
Karnataka Administrative
Tribunal, Indiranagar,
Bangalore.

...RESPONDENTS.

Writ Petitions filed under Articles
226 and 227 of the Constitution of India
with an affidavit praying to Direct the
respondents to fill up the post of Junior
Town Planner and the Asst. Director of Town

planning having accrued prior to 15.5.96,
without reference to the Karnataka Town
planning Dept. Services (Recruitment)
Rule, 1996 (Anx.H) dt: 15.5.96. etc.,

Writ Petitions ~~be~~ coming on for Prly.
Hon'ble Chief Justice
hearing this day the/~~same~~ made the
following:

O R D E R

After hearing the learned counsel
for the parties and perusing the record,
we do not find any ground to exercise our
writ jurisdiction in view of the provisions
of the Administrative Tribunal Act barring
the jurisdiction of the Court in cases
where the matter is admittedly covered
by the provisions of the Act. The mere
fact that the Administrative Tribunal is
non functional, would not confer jurisdiction
on this Court to issue directions under

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: 5 :

Article 226 of the Constitution of India.

Dismissed.

Sd/- CHIEF JUSTICE

Sd/- JUDGE

BKP

c.by 22/9/98

r.by ✓/ku

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Assistant Registrar
High Court of Karnataka
Bangalore-560 001.

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